

Proceeding: In the Matter of 1998 Biennial Regulatory Review -- Amendment of Part of the ☒ Record 1 of 1

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August 27, 1998

Honorable William E. Kennard
Chairman
Federal Communications Commission

Honorable Susan Ness
Commissioner
Federal Communications Commission

Honorable Harold Furchtgott-Roth
Commissioner
Federal Communications Commission

Honorable Michael K. Powell
Commissioner
Federal Communications Commission

Honorable Gloria Tristani
Commissioner
Federal Communications Commission

Re: License Restructuring in the Amateur Radio Service

Dear Mr. Chairman and Commissioners:

I am petitioning for modernizing changes in both the International Telecommunications Union ("ITU") and national rules regarding the Amateur Radio Service on a worldwide basis. I firmly believe that such modernization of amateur rules is essential to the continued health, growth, and public service value of the Amateur Radio Service as we prepare to enter the 21st century.

I am aware of the Commission's plans to review, and likely simplify, its Part 97 Rules concerning the Amateur Radio Service as a part of the 1998 Biennial Review process.

I feel that the following is required to completely accomplish the desired goals of simplifying amateur licensing and rejuvenating the Amateur Radio Service in preparation for the 21st century.

I stand for the complete elimination of Morse testing as a criterion for all amateur licensing. I recognize that the United States, as a signatory to the ITU treaty, currently has an obligation to retain some unspecified level of Morse testing, since ITU regulations currently obligate signatories to require Morse proficiency (though at no specified speed) of all applicants for licenses permitting operation on frequencies below 30 MHz.

I see absolutely no justification for Advance Class and Amateur Extra Class to require a 13 and 20 wpm Morse tests and believe that there is no reason not to, and every reason to, limit Morse testing for all classes of amateur license to a 5 wpm speed until the ITU treaty obligation is lifted. The sole remaining reason for retaining any Morse code examinations at all stems from that 50 year old regulation now called "S25.5" in

the ITU treaty which requires manual Morse proficiency to be demonstrated before a license can be issued for operation in amateur spectrum below 30 MHz.

S25.5 specifies no specific speed which must be demonstrated by an applicant, thus a 5 wpm Morse examination amply fulfills the requirements of the ITU treaty obligation. In addition to removing an unnecessary, restrictive, and artificial barrier to advancement, having a single 5 wpm Morse requirement for all license classes authorized to operate below 30 MHz will reduce the testing and record keeping burden on the Volunteer Examiners, Volunteer Examiner coordinators, and the Commission.

Having a single 5 wpm Morse test will also remove the necessity of processing and issuing waivers of high speed code tests for the handicapped, which has been a subject of some contention and vague accusations of improprieties in the amateur community of late.

I recognize that many current amateur licensees enjoy the use of Morse code on the amateur bands (I am a code tested amateur who does not use or enjoy Morse code). I also recognize and accept that the time has passed for Morse testing to stand as a "rite of passage" into the amateur community.

I do not at all oppose the use of Morse code in the amateur bands by those amateurs who choose to use that mode. I just don't believe that Morse code is an important enough factor in today's world that it should be a licensing criterion at any level beyond the absolute minimum required by international regulations.

I also believe that government regulatory agencies should regulate to the minimum extent necessary to achieve their legitimate regulatory objectives. I do not believe that the Commission's legitimate regulatory objectives include the maintenance of traditional rites of passage which strongly resemble fraternity hazing rituals and unnecessarily restrict entry into amateur radio by otherwise competent individuals.

Given that Morse code speeds over 5 wpm should be irrelevant for amateur licensing in today's world, I feel that there are three license classes more than is really necessary. I also note that most other countries have two license classes at most and many have only a single class of amateur license. I see no advantage in, or need for, such a large number of license classes and feels that three license classes are quite sufficient to provide for both an entry level and a path for advancement.

I propose a "Class C" license with privileges similar to today's no-code Technician Class. I propose a "Class B" license with privileges similar to today's General class, but with only a 5 wpm Morse test, compared with the present General class requirement of 13 wpm. I also propose "Class A" (similar to today's Amateur Extra class) license with the combined privileges of today's Advance Class and today's Extra Class which would also require a 5 wpm Morse test and a combined written test.

I believe that the resulting system, with three license classes with progressively difficult written examinations on radio and electronics theory and a single 5 wpm Morse code test for Class A and Class B to meet the current obligations under the ITU treaty would be the best solution for the foreseeable future for the Amateur Radio Service.

I further note that there is a significant movement worldwide to modify the ITU treaty to delete the S25.5 requirement for Morse tests entirely. Numerous national radio societies have stated their intent to lobby their administrations to support the deletion of S25.5 at the earliest possible World Radio Conference. Some administrations are already taking steps to reduce Morse testing requirements. Deletion of S25.5 from the ITU treaty would eliminate any obligation to require any Morse testing at all.

I therefore request that the Commission also incorporate a "sunset clause" into the language of such new rules as may be enacted, specifying that all Morse testing requirements will automatically cease upon the ratification of an amendment to the ITU treaty removing the S25.5 requirement for Morse testing. This approach will not only result in compliance with treaty obligations today, it will eliminate the need for further action by the Commission at such time in the future as there is no further international treaty requirement for Morse testing.

I look forward to the opportunity to provide further comments during the formal comment period associated with the *anticipated* NPRM. In the meantime, I would be most pleased to discuss this matter with you or members of the Commission's staff as you deem appropriate.

Respectfully submitted,

Richard R. Plourde - NISJM